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EXAMINER

NGUYEN, FRANCIS N

ART UNIT	PAPER NUMBER
2674	6

DATE MAILED: 11/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/823,831

Applicant(s)

GAMSARAGAN ET AL.

Examiner

FRANCIS NGUYEN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 March 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 29-31 is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-16, 18-24 and 26-28 is/are rejected.
- 7) ☒ Claim(s) 7, 17 and 25 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 31 March 2003 is: a) ☐ approved b) ☒ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Response to Amendment

1. The amendment filed on 3/31/2003 is entered.

Drawings

2. The drawings , filed on 3/31/2003 are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the limitation storage device , non-volatile storage device must be shown or the feature(s) canceled from the claim(s) 6-7, 16-17, 29-31. The examiner notes Applicant's reference to HDD 42 in the base station of figure 7 , **but not in the display subsystem 14 as claimed** in claims 6-7, 16-17, 29-31 . No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Objections

3. Claims 18, 29 are objected to because of the following informalities: incorrect word "computer" instead of "method" (page 10, claim 18, line 1), missing word "including" (Amendment A, page 4, claim 29, line 4) . Appropriate correction is required.

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Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-4, 8-14, 18-22, 26-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Richardson et al. (US Patent 6,028,764).

As to **claims 1 and 11**, Richardson et al. discloses a computer (**portable computer 10**, see Abstract, column 1, line 65) and associated method comprising:

a base station, having a storage device (**housing 12 comprising system memory 36, hard disk drive 42**, column 2, lines 63-67);

a computing display subsystem detachably connectable to the base station (**a variety of detachable connectors may be used to connect the housing 14 to the housing 12, open ring 28 which journals a shaft 26**, column 2, lines 28-32) , the computing display subsystem including a processor (**display controller 52**, column 3, lines 4-8, figure 7) and a communication adapter (**adapters 54a/54b**, column 3, lines 8-12, figure 7) to communicate with the base station when the computing display subsystem is detached from the base station (column 2, lines 5-9). As to Applicant's argument that display controller is not equivalent, the examiner confirms that display controller reads on the claimed processor because of display driving function. Since the claim language of the amended claims does not call for any

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specific limitations , broadest interpretation of claim has been made. Therefore, the ground of rejection is maintained.

As to **claims 2 and 12**, Richardson et al. further discloses the computer of claim 1 (see the same citation for claim 1) and associated method wherein said computer display subsystem includes a power supply separate from the base station (see Richardson et al., **power supply 60**, column 3, lines 18-19). Note the same remark in claim 1; the ground of rejection is maintained.

As to **claims 3 and 13**, Richardson et al. further discloses the computer of claim 1 (see the same citation for claim 1) and associated method wherein the computing display subsystem and the base station are operable to communicate using infrared signals (**infrared communication link**, column 2, lines 10-11, column 3, lines 31-32). Note the same remark in claim 1; the ground of rejection is maintained.

As to **claims 4 and 14**, Richardson et al. further discloses the computer of claim 1 (see the same citation for claim 1) and associated method wherein the computing display subsystem and the base station communicate using radio frequency signals (**radio frequency communication link**, column 2, line 11). Note the same remark in claim 1; the ground of rejection is maintained.

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As to **claims 8 and 18**, Richardson et al. further discloses the computer of claim 1 (see the same citation for claim 1) and associated method wherein the communication adapter of the computing display subsystem is operable to communicate with the base station via a Bluetooth protocol (**Bluetooth radio link**, column 3, lines 59-60). Note the same remark in claim 1; the ground of rejection is maintained.

As to **claim 9**, Richardson et al. further discloses the computer of claim 1 (see the same citation for claim 1) wherein said base station includes a keyboard , a processor and a connection to a network (**keyboard 16, processor 32, modem 50** as shown in figure 7, column 2, line 61, column 3, lines 1-3). Note the same remark in claim 1; the ground of rejection is maintained.

As to **claim 10**, Richardson et al. further discloses the computer of claim 1 (see the same citation for claim 1) wherein the processor of the computing display subsystem is operable at two separate power modes contingent on a power source (**power supply 60 is a battery power supply but the power supply may include an AC adapter to power the display 18, capacitive storage element**, column 3, lines 18-30). Note the same remark in claim 1; the ground of rejection is maintained.

As to **claim 19**, Richardson et al. discloses a computer (**portable computer 10**, see Abstract, column 1, line 65) and associated method comprising a computing display subsystem (display housing 14 with :

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a processor (**display controller 52**, column 3, lines 4-8, figure 7);

a communication adapter (**adapters 54a/54b**, column 3, lines 8-12, figure 7) to communicate with a base station when the computing display subsystem is detached from the base station (column 2, lines 5-9); and

a detachable connection to the base station (**detachable connectors**, column 2, lines 28-30). The ground of rejection is maintained.

As to **claim 20**, the computing display subsystem of claim 19 (see the same citation for claim 19) wherein said computing display subsystem includes a power supply separate from the base station(**power supply 60**, column 3, lines 18-19). The ground of rejection is maintained.

As to **claim 21**, the computing display subsystem of claim 19 (see the same citation for claim 19) wherein the communication adapter (**adapters 54a/54b**, column 3, lines 8-12, figure 7) is operable to communicate with the base station using infrared signals (**infrared communication link**, column 2, lines 10-11, column 3, lines 31-32). The ground of rejection is maintained.

As to **claim 22**, the computing display subsystem of claim 19 (see the same citation for claim 19) wherein the communication adapter(**adapters 54a/54b**, column 3, lines 8-12, figure 7) is operable to communicate with the base station using radio frequency signals (**radio frequency communication link**, column 2, line 11). The ground of rejection is maintained.

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As to **claim 26**, the computing display subsystem of claim 19 (see the same citation for claim 19) wherein the communication adapter (**adapters 54a/54b**, column 3, lines 8-12, figure 7) of the computing display subsystem is operable to communicate with the base station via a Bluetooth protocol (**Bluetooth radio link**, column 3, lines 59-60). The ground of rejection is maintained.

As to **claim 27**, the computing display subsystem of claim 22 (see the same citation for claim 19) wherein said base station includes a keyboard and a connection to a network (**keyboard 16, modem 50** as shown in figure 7, column 3, lines 1-3). The ground of rejection is maintained.

As to **claim 28**, the computing display subsystem of claim 19 (see the same citation for claim 19) wherein the processor of the computing display subsystem operates at two separate power modes contingent on a power source (**power supply 60 is a battery power supply but the power supply may include an AC adapter to power the display 18, capacitive storage element**, column 3, lines 18-30). The ground of rejection is maintained.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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7. Claims 5-6, 15-16, 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Richardson et al.

As to **claims 5, 15 and 23**, Richardson et al. teaches a computer comprising a computing display subsystem (see claim 1) including a writeable display (**touch screen display**, user screen inputs sent to the controller, column 3, lines 47-49). **However, Richardson et al. fails to expressly teach a LCD display. Note that , at the time of the invention, it is well known in the art that LCD display is used in portable electronic device with display. It would have been obvious to a person of ordinary skill in the art at the time of the invention to utilize the apparatus taught by Richardson et al. and provide LCD display to obtain the apparatus Richardson et al. modified because it would provide a display with very low weight and low power requirement, extremely useful in case of battery as means of power source. The ground of rejection is maintained.**

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As to **claims 6 , 16 and 24**, the computer of claim 5 and associated method (see same citation for claim 5) wherein the computing display subsystem includes a storage device (**since Richardson et al. teaches information is sent back to controller to enable intensity adjustment, user screen input sent to controller, column 3, lines 44-49, this indicates that memory has to be present and coupled to display controller to temporarily store then process said information, said user screen input**). **The ground of rejection is maintained.**

Allowable Subject Matter

8. Claims 29-31 are allowed over prior art .

The following is a statement of reasons for the indication of allowable subject matter:

As to claims 29, 30, 31, none of prior art teaches a computing display subsystem includes a non-volatile storage device.

Claims 7 , 17 and 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

9. Applicant's arguments filed on 3/31/2003 with respect to claims 1-4, 8-14, 18-22, 26-28 have been considered but they are found non persuasive.

As to Applicant's argument that cited art failing to teach a processor is not valid because Richardson et al. does teach a display controller; broadest interpretation was exercised because the claimed processor has no specific limitation in the Applicant's disclosure.

Since the pending claims lack claim breadth, the ground of rejection is maintained.

CONCLUSION

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **FRANCIS N NGUYEN** whose telephone number is **703 308-8858**. The examiner can normally be reached during hours 8:00 AM- 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **RICHARD A HJERPE** can be reached at 703 305-4709.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231


or faxed to:

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(703) 872-9306

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service whose telephone number is (703) 306-0377.


October 22nd, 2003

FRANCIS N NGUYEN
Examiner
Art Unit 2674


RICHARD M. RIFE
CUSTOMER SERVICE ENGINEER
ART UNIT 2674